

The contents of this circular commence on 22 September 2009.

Circular No. 15/2009

04/09/2009

TASER POLICY

As a result of the recent joint Queensland Police Service (QPS) and Crime and Misconduct Commission (CMC) review of Conducted Energy Weapon (Taser) use, a number of changes to QPS policy are being implemented.

The policy set out within this circular will apply from 22 September 2009.

Major changes to policy in this circular include:

Use of a Taser

There must be a risk of serious injury to a person before an officer can deploy a Taser. The decision to apply force or use a Taser is an individual one for which every officer will be held accountable.

Every decision to use force should be the subject of a continuous assessment prior to the application of another use of force.

Tasers should not be used against persons that are handcuffed unless exceptional circumstances exist.

Tasers should not be used against persons of particularly small body mass except in extreme circumstances where there is no other reasonable option to avoid the imminent risk of serious injury.

Deployment of a Taser

A single deployment of a Taser is characterised by one five second cycle in either probe or drive stun mode. Any deployment of a Taser on an individual beyond this single cycle is considered a multiple deployment (more than one five second cycle) or a prolonged deployment (continuous application beyond a 5 second cycle).

Officers are to use the Taser on persons by application of one five second cycle.

Officers should be aware that there may be technical or physiological reasons why the device is not working as expected on a particular individual. Therefore, if the initial application of the Taser in either the probe or drive stun modes is not effective, officers should reassess the situation and consider other available use of force options.

Officers are not to use the Taser in a prolonged fashion by holding the trigger down for a period greater than five seconds unless exceptional circumstances exist.

Additional cycles (one trigger pull – five seconds) may be applied in exceptional circumstances after the officer has reassessed the situation prior to each additional cycle.

Officers are reminded that a subsequent use of the Taser or any prolonged use (greater than five seconds) will be scrutinised and will need to be justified. While all use of force is scrutinised, officers should be aware that the greater the use (multiple or prolonged) of a Taser, the greater the level of scrutiny that will be applied.

Officers should be aware that multiple or prolonged uses of a Taser have been linked to deaths, particularly where:

- (i) use of the Taser was accompanied by the use of restraints or chemical incapacitant sprays (e.g. OC spray);
- (ii) subjects had underlying health problems such as heart conditions or mental illness;
- (iii) subjects were under the influence of drugs and/or alcohol;
- (iv) subjects were struggling violently for a sustained period; or
- (v) a combination of these factors existed.

There are cases where such persons exposed to the effects of Taser have died some time after being exposed. It is however, recognised that there are circumstances where the only alternative may be the use of a potentially lethal firearm or where the activation of the Taser irrespective of the additional risk is absolutely necessary to protect life.

Use of more than one Taser

Officers must not use two or more Tasers on the one person at the same time.

The following provisions outline the new procedures to be adopted in respect to Conducted Energy Weapons (Taser) and are set out in the format that will be used when the content of this circular is incorporated into the Operational Procedures Manual. These provisions should be read in conjunction with s. 14.3: 'Use of Force' of the Operational Procedures Manual.

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14.23 Conducted Energy Weapon (Taser)

Taser is a brand name of one of a number of weapons in the general category of 'Conducted Energy Weapons' (CEW). It is a hand held neuro-muscular disruption device capable of temporarily incapacitating a person and causing pain through the application of an electrical current.

The Taser has two main capabilities, probe mode and drive stun mode.

In the probe mode a Taser uses propelled wires/darts, to deliver short duration high voltage electrical pulses into the body which affect the sensory and motor functions of the nervous system. The electrical charge transmitted by a Taser causes the subject person to experience involuntary muscular contractions, rendering the person temporarily incapacitated or unable to perform coordinated action until the device is deactivated. Unlike batons or OC spray, probe mode does not rely on pain compliance alone and is effective regardless of the size, strength, mental condition or pain threshold of the subject person.

The drive stun mode uses direct contact of the Taser to the body or clothing of a person and causes significant discomfort in the area where the Taser is applied. The drive stun mode does not have a significant effect on the central nervous system and does not immobilise a person. As such it may not be effective on people who are highly motivated, mentally disordered or drug/alcohol affected. The drive stun mode can also be used in combination with the probe mode to complete an incapacitation circuit.

Tasers are 'Category R' weapons, as defined in s. 8(f) of the Weapons Categories Regulation 1997.

14.23.1 Issue of Tasers

Tasers will be issued to police stations and establishments for use by officers as part of the performance of their duty. The logistical distribution of Tasers within each region or command is at the discretion of the officer in charge of that region or command.

14.23.2 Taser training

POLICY

Officers are not to use or carry a Taser unless they:

- (i) have successfully completed the relevant Taser training course;
- (ii) are currently qualified in Operational Skills and Tactics (OST) training (see s. 14.3.1: 'Operational Skills and Tactics (OST) training' of the Operational Procedures Manual).

Officers who successfully complete the Taser training course will need to requalify in the use of a Taser on an annual basis. This annual re-qualification will be undertaken as part of Block 3 OST training (see s. 14.3.1 of the Operational Procedures Manual).

The Chief OST Instructor is responsible for ensuring the necessary systems are in place to provide Taser training to nominated officers.

14.23.3 Use of Tasers

The use of a Taser's capabilities, in either the probe mode or drive stun mode, should be determined by the circumstances existing at the time, bearing in mind the 'Situational Use of Force Model' (see s. 14.3.2: 'Situational Use of Force Model - 2009' of the Operational Procedures Manual). Officers are reminded the Service's philosophy of 'Consider all Options and Practise Safety' (COPS) should be embraced when dealing with incidents which may require the use of force.

POLICY

Officers should only use the minimum amount of force necessary to resolve an incident.

There must be a risk of serious injury to a person before an officer can deploy a Taser. The decision to apply force or use a Taser is an individual one for which every officer will be held accountable.

Every decision to use force should be the subject of a continuous assessment prior to the application of another use of force.

Officers should consider all the 'use of force' options available to them and all the circumstances of an incident when determining the most appropriate 'use of force' option(s) to be used.

Prior to using a Taser in either mode, officers should:

- (i) verbally warn the subject person(s) where practicable; and
- (ii) be mindful of the area in which the subject may fall. In probe mode the Taser causes temporary incapacitation which may cause the subject to fall down. Injuries may be sustained by the subject where this occurs.

A Taser should not be used in either mode:

- (i) against persons offering passive resistance (e.g. refusing to move or offering little or no physical resistance and refusing to comply with police instructions. A person acting as a dead weight or requiring an officer to lift, pull, drag or push them in order to maintain control);
- (ii) against persons that are handcuffed unless exceptional circumstances exist;
- (iii) as a crowd control measure (e.g. for crowd dispersal at a demonstration or industrial dispute);
- (iv) against the occupants of a vehicle or the operator of machinery where there is a danger of the vehicle or machinery going out of control and injuring the occupants or other people;
- (v) against children or persons of particularly small body mass, except in extreme circumstances where there is no other reasonable option to avoid the imminent risk of serious injury;
- (vi) against females suspected on reasonable grounds of being pregnant, except in extreme circumstances where there is no other reasonable option to avoid the imminent risk of serious injury;
- (vii) near explosive materials, flammable liquids or gases due to the possibility of ignition;
- (viii) punitively for purposes of coercion or as a prod to make a person move;
- (ix) to rouse unconscious, impaired or intoxicated persons;

(x) on persons where there is a likelihood of significant secondary injuries (particularly concussive brain injury) from a fall (e.g. standing on a ladder or other elevated position); or

(xi) on elderly persons, except in extreme circumstances where there is no other reasonable option to avoid the imminent risk of serious injury.

Deployment of a Taser

A single deployment of a Taser is characterised by one five second cycle in either probe or drive stun mode. Any deployment of a Taser on an individual beyond this single cycle is considered a multiple deployment (more than one five second cycle) or a prolonged deployment (continuous application beyond a 5 second cycle).

Officers are to use the Taser on persons by application of one five second cycle.

Officers are not to use the Taser in a prolonged fashion by holding the trigger down for a period greater than five seconds unless exceptional circumstances exist.

Additional cycles (one trigger pull – five seconds) may be applied in exceptional circumstances after the officer has reassessed the situation prior to each additional cycle.

Officers are reminded that a subsequent use of the Taser or any prolonged use (greater than five seconds) will be scrutinised and will need to be justified. While all use of force is scrutinised, officers should be aware that the greater the use (multiple or prolonged) of a Taser, the greater the level of scrutiny that will be applied.

Officers should be aware that there may be technical or physiological reasons why the device is not working as expected on a particular individual. Therefore, if the initial application of the Taser in either the probe or drive stun modes is not effective, officers should reassess the situation and consider other available use of force options.

Officers should be aware that multiple or prolonged uses of a Taser have been linked to deaths, particularly where:

- (i) use of the Taser was accompanied by the use of restraints or chemical incapacitant sprays (e.g. OC spray);
- (ii) subjects had underlying health problems such as heart conditions or mental illness;
- (iii) subjects were under the influence of drugs and/or alcohol;
- (iv) subjects were struggling violently for a sustained period; or
- (v) a combination of these factors existed.

There are cases where such persons exposed to the effects of Taser have died some time after being exposed. It is however, recognised that there are circumstances where

the only alternative may be the use of a potentially lethal firearm or where the activation of the Taser irrespective of the additional risk is absolutely necessary to protect life.

14.23.4 Use of more than one Taser

POLICY

Officers must not use two or more Tasers on the one person at the same time.

14.23.5 Using the Taser on people who are suspected mentally ill

POLICY

Occasions will arise where it is necessary to use the Taser on a person who is exhibiting violent behaviour and who is also suspected suffering from a mental disorder or illness. When responding to a mental health incident officers are to ensure the assistance of the QAS is requested and where possible, discuss options with mental health professionals (refer to s. 6.6.20: 'Mental health intervention coordination and training' of the Operational Procedures Manual).

14.23.6 Special precautions to avoid eye and head injuries

There is a specific risk of injury to the eye through penetration of a barb. Barb penetration in the neck or head may also increase the level of injury.

POLICY

Tasers should not be aimed so as to strike the head or neck of a subject unless this is unavoidable.

The laser sight should not intentionally be aimed at the eyes of the subject.

14.23.7 Voluntary exposures to Taser

POLICY

Voluntary exposures are only to be undertaken as part of Taser training by a qualified Taser instructor.

Exposure is to be limited to one five second cycle and is not to occur unless the officer being exposed has read a QPS approved facts/information sheet and signed the appropriate waiver prior to the exposure.

Members of the QPS are not to undertake voluntary exposures for members of the public.

Members of the QPS are not to undertake voluntary exposures at police stations/establishments unless the exposure is part of Taser training by a qualified Taser instructor.

14.23.8 Probe removal and disposal

POLICY

Probe removal and disposal is to be conducted in accordance with the procedures outlined in the Conducted Energy Weapon - Taser Good Practice Guide.

Where probes are imbedded in sensitive tissue areas (e.g. neck/throat, face, breast or groin) medical aid should be sought to remove the probes.

Officers in charge of stations or establishments should ensure suitable probe removal and disposal equipment (i.e. protective gloves, sharps container, alcohol wipes/swabs and band aids) is available in all operational vehicles under their control.

14.23.9 Aftercare

A person who has been Tasered:

- (i) should recover quickly. The incapacitating effect of the Taser ends when the trigger is released and the unit is deactivated;
- (ii) may feel dazed for several seconds;
- (iii) may experience tingling sensations for a short period afterwards; and
- (iv) may exhibit minor skin irritation, temporary blisters or redness at the site of application.

The application of a Taser should not affect or damage a pacemaker, or cause permanent damage or long term effects to the subject person's muscles, nerves or other body functions. However, it should be recognised that the subject person may have pre-existing injuries or medical conditions and/or secondary injuries from falling down when incapacitated by the Taser.

POLICY

If required, the officer who deployed the Taser is to ensure first aid and/or medical attention is provided to the subject person, as necessary.

See s. 16.13.1: 'Assessment of prisoners' and Appendix 16.1: 'The assessment of prisoners and persons in custody' of the Operational Procedures Manual.

PROCEDURE

When medical attention or treatment is required, the deploying officer should notify the Duty Officer, Police Communications Centre (PCC) Brisbane, or in areas outside of those covered by PCC Brisbane, the communications coordinator of the relevant PCC, and request the attendance of the Queensland Ambulance Service (QAS). Where it is impractical to obtain the attendance of the QAS, the officer should arrange to have the subject person taken to the nearest facility providing medical attention.

14.23.10 Reporting the use of a Taser

For the purpose of this section, the term 'use' includes:

- (i) deploying or firing the probes against a person or animal, or in the direction of a person or animal;
- (ii) pointing a Taser in the direction of a person without deploying or firing the probes;
- (iii) using the drive stun mode against a person or animal; or
- (iv) holding/pressing a Taser against a person without activating it.

POLICY

After an incident involving the use of a Taser, the officer who used the Taser should:

- (i) notify as soon as practicable:
 - (a) the Duty Officer, Police Communications Centre (PCC) Brisbane to ensure the incident is recorded on the CAD system; or
 - (b) in areas outside those covered by PCC Brisbane, the communications coordinator of the relevant PCC to note on the CAD system or their Running Log as the case may be; or
 - (c) in areas where no police communications centre exists, the officer in charge for the time being of the station responsible for policing the area where the incident has occurred; and
- (ii) prior to the end of the shift:
 - (a) complete and submit a 'Taser Usage Report', which is available on the Operations Support Command, 'Taser Implementation' webpage on the QPS Intranet (Bulletin Board); and
 - (b) ensure a significant event message is submitted outlining the circumstances of the deployment (see s. 1.6.10: 'Significant Event Messaging System' of the Operational Procedures Manual). When completing the significant event message, the drop down menu in the subject field must be used and 'Taser Deployment' selected as the subject. Within the significant event message a summary of the incident should be provided including:
 - the subject's behaviour and actions;
 - the weapon(s) used or available to the subject;

- whether the subject was affected by alcohol and/or drugs;
- the perceived degree of threat to police and/or others;
- other persons involved;
- the officer's actions;
- whether the probes were deployed, drive stun used, or was the Taser pointed towards or held against the subject without activation;
- whether a verbal warning was given and if not, why not?; and
- whether any injuries were sustained and/or medical treatment required/provided by any person.

The Duty Officer, communications coordinator or officer in charge notified of an incident involving a Taser is to advise the appropriate regional duty officer (RDO) or district duty officer (DDO).

The officer in charge where the police officer using a Taser is stationed, is to:

- (i) ensure that a 'Taser Usage Report' and significant event message has been submitted in relation to the incident; and
- (ii) overview the incident to determine whether the use of the Taser was in accordance with Service policy and procedures.

Where practicable, the overview should include a face-to-face meeting between the officer in charge (or supervisor) and the officer who deployed the Taser.

If an officer deploys a Taser accidentally, or other than in accordance with OPM s. 14.23.12: 'Safety issues' of this circular, the deploying officer is to:

- (i) submit a Taser Usage Report outlining the circumstances of the incident;
- (ii) notify the Shift Supervisor and OIC of the incident (and/or District Duty Officer /Regional Duty Officer per local SOPs);
- (iii) in the case where any person was the subject of an unintentional Taser deployment in either probe or drive stun mode, or significant damage to property was caused by the deployment, a significant event message is to be generated. Data from this device will be downloaded within 72 hours per s. 14.23.18: 'Downloading data from a Taser' of this circular;
- (iv) the Shift Supervisor (or OIC, District Duty Officer or Regional Duty Officer) will then make inquiries with a view to establishing the cause of the incident (e.g. memory lapse, lack of proficiency of Taser user, mechanical

failure, operational issues, deliberate disregard of established policies or protocols, deliberate misuse of Taser);

(v) the Shift Supervisor (or OIC, District Duty Officer or Regional Duty Officer) will make a recommendation on how the matter will be dealt with (e.g. officer not permitted to use a Taser until further training undertaken, managerial guidance, sent for formal investigation re: misuse).

If the use of the Taser was inappropriate or not in accordance with Service policy, see s. 7.2: 'Duty concerning misconduct or breaches of discipline' of the *Police Service Administration Act 1990* and Chapter 18: 'Complaint Management' of the Human Resource Management Manual.

14.23.11 Carriage of a Taser

POLICY

Qualified officers performing operational duties should, where appropriate, carry a Taser, if one is available.

When removing a Taser from a gun safe or other approved safe provided by the Service at their respective station or establishment, members are to inspect and load the weapon in compliance with the procedures outlined in Chapter 6: 'Station procedures' of the Conducted Energy Weapon - Taser Good Practice Guide.

The Taser should be loaded with an air cartridge, ready for use, and carried on a utility belt in the holster provided for that purpose. A spare cartridge should be carried in the bottom of the 'extended digital power magazine' (XDPM).

Taser holsters should be carried securely fitted on a utility belt, on the side opposite the dominant hand, and worn in a 'crossdraw' manner (i.e. with the handle of the device facing forward).

Members are not to leave a Service Taser unattended in a vehicle or other place without good and sufficient reason. This may include:

- (i) members having to attend a situation where the carriage of a Taser poses a risk to security or safety, e.g. riot, serious street disturbance or authorised assembly;
- (ii) where the Taser restricts operational activity, e.g. members being involved in a rescue operation; or
- (iii) where it is necessary for special operational situations or circumstances, e.g. hostage or suicide negotiations.

Carriage of Taser by Plain clothes officers

POLICY

Qualified officers performing plain clothes duties may carry a Taser, if it is appropriate to the duties they are performing.

Tasers should only be carried by plain clothes officers:

- (i) in the Service issued holster provided for that purpose; and
- (ii) securely fitted on a dress belt (or utility belt if available), on the side opposite the dominant hand, and worn in a 'crossdraw' manner (i.e. with the handle of the device facing forward). Plain clothes officers are not to carry Tasers in Service issued bumbags, or in other locations or positions.

If carrying a Service Taser exposed to view, plain clothes officers should carry their identification badge in such a position that it is also visible to members of the public.

Carriage of Tasers on aircraft and at airports

POLICY

Officers who intend to carry conducted energy weapons (Tasers):

- (i) on commercial passenger airlines/prescribed aircraft, are to comply with the relevant provisions of s. 14.11.1: 'Weapons and prohibited items on Commercial Passenger Airlines/Prescribed aircraft' of the Operational Procedures Manual;
- (ii) at airports, are to comply with s. 14.11.4: 'Carriage of weapons and prohibited items at airports' of the Operational Procedures Manual; or
- (iii) on Police Air Wing aircraft, are to consult with the relevant Air Wing Operations Coordinator for advice and direction regarding the carriage or storage requirements.

Carriage of Tasers in court

POLICY

Officers should not wear or carry a Service Taser, other than an exhibit, in court unless:

- (i) authorised by the presiding magistrate or judge. This includes an officer performing duty as a court orderly; or
- (ii) they are responding to an incident within those premises.

Carriage of Tasers in watchhouses

POLICY

Officers may carry Tasers in watchhouses. As with batons, oleoresin capsicum spray and handcuffs, there is no requirement for an officer to remove and store a Taser prior to entering a watchhouse.

Carriage of Tasers in correctional centres and detention centres

ORDER

Unless authorised or approved by the Chief Executive, Queensland Corrective Services, to take weapons into a correctional centre or detention centre, officers are to hand all Tasers to the correctional officer on duty at the entrance to a correctional centre or detention centre for safe keeping (see s. 128: 'Taking prohibited thing into corrective services facility or giving prohibited thing to prisoner' of the *Corrective Services Act 2006*).

Officers are to inspect all Tasers returned prior to leaving a correctional centre or detention centre to ensure they are undamaged.

See also s. 14.14.1: 'Carriage of firearms and ammunition in correctional centres and detention centres' of the Operational Procedures Manual.

Carriage of Tasers in hospitals

POLICY

Officers should exercise their discretion in regard to the carriage of conducted energy weapons (Tasers) within the confines of an authorised mental health high security unit, or medium security unit (see s. 14.13: 'Carriage of firearms in hospitals' of the Operational Procedures Manual). Officers should also consider the policy outlined in s. 14.6.2: 'Security of weapons' of the Operational Procedures Manual.

14.23.12 Safety issues

POLICY

Members are to:

- (i) treat every Taser as if it is armed and ready to deploy;
- (ii) keep hands away from the front of the Taser at all times particularly when loading or unloading an air cartridge;
- (iii) ensure the safety switch is activated and the Taser is in safe mode:
 - (a) before handing it to someone else;

- (b) upon receiving it from someone else;
 - (c) before loading or removing an air cartridge from a Taser;
 - (d) when replacing the extended digital power magazine in the Taser;
and
 - (e) whenever the Taser is not intended for immediate use;
- (iv) perform a static electricity earthing drill before handling live Taser air cartridges.

A build up of naturally occurring static electricity in a person's body may, in extreme cases, cause the air cartridge to malfunction when handled.

Accordingly, members should:

- (i) ground themselves before handling, loading or unloading Taser air cartridges;
- (ii) where practicable, load and unload Taser air cartridges in a designated safe weapon clearing area (see s. 14.2 Definitions and references to legislation in the Operational Procedures Manual);
- (iii) never aim the Taser at the eyes or face of a person;
- (iv) never throw a Taser to someone else or attempt to catch a Taser;
- (v) never point a Taser at any person, or in any direction where a person is likely to be, unless it is actually intended to use the Taser against that person;
- (vi) observe security precautions consistent with the *Weapons Act 1990* and Service policies; and:
- (vii) not use, deploy or discharge a Taser unless in the performance of operational duties or Service approved training.

14.23.13 Storage

POLICY

Prior to ceasing duty, or where a Service Taser is not required for duty, members are to:

- (i) unload any Service Taser in their possession in compliance with the procedures outlined in Chapter 6: 'Station procedures' of the Conducted Energy Weapon - Taser Good Practice Guide;
- (ii) place the Taser in a gun safe or other approved safe provided at their respective station or establishment for the purpose (see Chapter 20: 'Minimum

Storage Standards For Weapons Held in Police Facilities' of the Administration Manual);

(iii) store the Taser with the extended digital power magazine (XDPM) inserted at all times. The XDPM must not be removed from the Taser when stored. If the XDPM requires replacement it should be carried out prior to storage (see s. 14.23.16: 'Replacing the Extended Digital Power Magazine (XDPM) of this circular); and

(iv) store any air cartridges, at their respective station or establishment, in a cool, dry and secure location, elsewhere to the Taser, with the blast doors of the air cartridges facing down.

Each member accessing a safe provided by the Service for the storage of Tasers is to ensure the safe is securely locked immediately after use.

Officers taking out or returning Taser equipment to its storage facilities are to complete the registers provided by the station or establishment for that purpose.

14.23.14 Inspection and maintenance

POLICY

When obtaining a Taser, air cartridges and holster at the commencement of a shift, officers should:

- (i) inspect all equipment for visible signs of damage;
- (ii) check the energy or battery level of the extended digital power magazine. If the energy level is less than 20%, see s. 14.23.16: 'Replacing the Extended Digital Power Magazine (XDPM)' of this circular;
- (iii) conduct a spark test for one second visually ensuring there is an arc between the electrodes;
- (iv) check the expiration date of the air cartridges. If an air cartridge has expired see s. 14.23.15: 'Used, damaged or expired air cartridges' of this circular; and
- (v) before loading an air cartridge in the Taser, ensure the safety is 'on', inspect and if necessary wipe out the air cartridge firing bay with a dry cloth.

Officers are to immediately report to their officer in charge any damage, defect or unsatisfactory condition relating to, or the loss of a Taser, air cartridge, XDPM or holster.

A Taser should not be exposed to significant moisture or water. If the Taser unit becomes wet, officers are to comply with the procedures outlined in Chapter 13: 'Cleaning and maintenance' of the Conducted Energy Weapon - Taser Good Practice Guide.

Officers in charge of stations and establishments are to:

(i) ensure an inspection of Tasers, air cartridges and other ancillary equipment under their control, is carried out on a monthly basis. Particulars of these inspections are to be recorded in a register kept for this purpose. (see s. 14.23.19: 'Recording of Taser equipment' of this circular). Officers in charge of regions and commands may authorise that inspections of Tasers and ancillary equipment are undertaken at other specified time intervals in conjunction with local risk management practices; and

(ii) immediately report to the district officer or other supervising commissioned officer the loss of, any damage or defect to, or any unsatisfactory condition relating to Service Taser equipment and comply with the provisions of the Financial Management Practice Manual in relation to any losses and, where appropriate, the recovery of debts resulting from the loss or destruction or damage to property while in the care of members.

See also s. 14.23.17: 'Taser repairs and replacement' of this circular.

14.23.15 Used, damaged or expired air cartridges

POLICY

Used or expended air cartridges may be disposed of as general refuse. However, prior to disposing of a used air cartridge, the serial number label is to be removed from the cartridge.

Air cartridges are to be forwarded to the Regional (or Command) Education and Training Coordinator, for training purposes if:

(i) they have passed their expiration date; or

(ii) the air cartridge has not been deployed but the blast doors have fallen off the cartridge. In such circumstances, although the cartridge may still fire, it may not do so reliably.

14.23.16 Replacing the Extended Digital Power Magazine (XDPM)

POLICY

When the XDPM energy level is less than 20%, a replacement should be obtained and inserted into the Taser.

The expended XDPM should then be forwarded to the Regional (or Command) Education and Training Coordinator, for training purposes.

When the XDPM energy level reads 1%, it is to be disposed of. Continued use beyond this energy level may cause potential data corruption in the Taser recording microprocessor.

To replace the XDPM in a Taser, officers are to comply with the relevant procedures outlined in the Conducted Energy Weapon - Taser Good Practice Guide.

14.23.17 Taser repairs and replacement

POLICY

Tasers which are damaged, defective or otherwise require servicing are to be forwarded to the Armoury Section, Logistics Branch.

PROCEDURE

Officers in charge of stations or establishments that require the repair or replacement of a damaged or defective Taser are to:

- (i) contact the Armoury Section, Logistics Branch for advice concerning the necessary arrangements; and
- (ii) where a replacement Taser is required, complete a QP413: 'Requisition for Weapons/Restricted Item' form and forward to the Armoury Section, Logistics Branch.

POLICY

If possible, the information recorded on a Taser is to be downloaded prior to forwarding the device to the Armoury Section, Logistics Branch (see s. 14.23.18: 'Downloading data from a Taser' of this circular).

When a Taser is forwarded to the Armoury Section, Logistics Branch, any costs involved in the inspection, testing, repair or replacement of the equipment are to be met by the requesting region or command.

If a Taser is replaced or disposed of, the Manager, West End Supply Centre is to send a report outlining the description and serial number of the item and advising of its destruction to the Officer in Charge, Weapons Licensing Branch, who is responsible for maintaining the QPS Weapons System.

14.23.18 Downloading data from a Taser

The Taser has an inbuilt system which can record the time, date, duration, battery status and the internal operating temperature at the time the Taser was used for its last 1500 activations.

POLICY

Where a Taser is deployed in either drive stun or probe mode, from 1 November 2009 the relevant District Officer or Manager is to ensure that as soon as practicable but within 72 hours, the data from the Taser used is downloaded by a person qualified to do so. The data downloaded is to be provided to the Regional or Command Significant Event Review Panel as a priority.

Firearms Training Officers or Taser Training Officers will generally be the person qualified to download this data.

Where the Ethical Standards Command (ESC) or the Crime and Misconduct Commission assumes responsibility for investigation of a matter involving a Taser, the data download is not to be conducted without the approval of the Superintendent, Internal Investigations Branch, ESC.

PROCEDURE

If required for court or other purposes, or where a Taser is being returned to the Armoury Section, Logistics Branch for repair or replacement, officers in charge of stations or establishments should contact the Officer in Charge, Operational Research and Advisory Unit, and make arrangements for the information recorded on the Taser to be extracted.

POLICY

The Officer in Charge, Operational Research and Advisory Unit may arrange on a periodic basis the downloading of data from Tasers within the Service.

14.23.19 Recording of Taser equipment

POLICY

The Manager, West End Supply Centre, is responsible for ensuring that the following information is recorded on the Weapons Asset Control System:

- (i) the district, or other organisational unit within the Service, each Taser and air cartridge is issued to;
- (ii) the serial number of each Taser and air cartridge; and
- (iii) the date of issue.

District officers or other organisational units are to maintain a local register of Taser equipment within their area of responsibility. Particulars to be recorded include:

- (i) the date of receipt of each item;
- (ii) the station or establishment each Taser and air cartridge is issued to;
- (iii) the serial number of each Taser and air cartridge; and
- (iv) the date, reason and method of disposal for each item.
- (v) Officers in charge of stations or establishments are to maintain a local register of all Taser equipment issued to their station or establishment. Particulars to be recorded include:

- (a) the date of receipt of each item;
- (b) the serial number of each Taser and air cartridge;
- (c) the expiry date of each air cartridge;
- (d) the date each Taser and air cartridge was last inspected; and
- (e) the date, reason and method of disposal for each item.

Officers in charge of stations or establishments are to also maintain a local register for the purpose of recording the issue and return of Taser equipment each shift. At a minimum such registers should record:

- (i) the time and date of signing the equipment in and out;
- (ii) the serial number of each Taser and air cartridge taken/returned;
- (iii) officer details including signature;
- (iv) brief details of any 'spark tests' or activations during the shift. However, in the case of Tasers used for training purposes under the control of Taser training officers, details of spark tests or activations during the shift are not required to be recorded; and
- (v) a comment section to record the condition of the Taser and air cartridges when returned and any damage, defect or unsatisfactory condition identified.

(The 'Taser Issue and Return Register' (QPB 70) has been developed for this purpose and is available from the West End Supply Centre, Logistics Branch).

All registers are to be accurately maintained and updated to reflect the acquisition, transfer or disposal of Tasers and air cartridges within the Service.

14.23.20 Review of Taser incidents

All incidents involving the use of a Service Taser will be reviewed by the relevant Chief Superintendent who is to consider any deployment in drive stun or probe mode of a Taser within 72 hours of the event. Section 14.23.18: 'Downloading data from a Taser' of this circular refers. Significant Event Review Panels will also review the use of a Taser (see Commissioner's Circular 34/2008).

Administration

The contents of this Circular will be incorporated into the Operational Procedures Manual in due course.

Sections 14.23: 'Conducted Energy Devices (Tasers)' to 14.23.16: 'Review of Taser incidents' (inclusive) of the Operational Procedures Manual are hereby cancelled.

ORDER

District Officers, managers and officers in charge are to ensure that all officers under their control understand the new Taser policy prior to them being issued or having access to a Taser from 22 September 2009 and that all officers have read the contents of this Circular.

IAN STEWART
DEPUTY COMMISSIONER
(SPECIALIST OPERATIONS)
